

Amendments to Claims

Claims 1-102 are pending in the application. Claims 16-102 have been withdrawn. The Examiner has rejected claims 1-15. Please cancel claims 2, 16-102, and amend claims 1, 6-8, 11 and 12 as follows:

1. (Currently amended) An implantable surgical drain having a contact optimizer when placed against a tissue of a patient's body for draining fluid and sensing at least one physiological property of the tissue comprising:

an elongated conduit configured to be implanted in and a patient's body to drain fluid from a tissue of the body cavity, the elongated conduit including a first and a second surface on an outer side of the elongated conduit;

a first sensing system element positioned at the first surface of the elongated conduit configured to sense a physiological property of the tissue, ~~proximate to the first surface~~; and

a first inflatable compartment positioned between the first and the second surfaces of said conduit configured to optimize contact between the tissue and the first sensing element ~~associated with the elongated conduit~~.

2. (Cancelled).

3. (Original) The surgical drain of claim 1, wherein the inflated compartment is within the elongated conduit.

4. (Original) The surgical drain of claim 1, wherein the first sensing system element and first inflatable compartment are positioned at about the same position along a drain length.

5. (Original) The surgical drain of claim 1, wherein the physiological property is selected from the group comprising: oxygenation, perfusion, temperature, pH, NADH levels, biochemical composition, drug concentration, turgidity or pressure.

6. (Currently amended) The surgical drain of claim 1, comprising a second sensing system element configured to sense a different physiological property than the first sensing system element.

7. (Currently amended) The surgical drain of claim 1, wherein the conduit includes a drain portion configured to rest against a substantial length of tissue within the body cavity and a plurality of drain holes spaced along substantially the entire length of the drain portion.

8. (Currently amended) The surgical drain of claim 1, further including a display configured to depict data corresponding to the physiological property sensed by the first sensing system element.

9. (Original) The surgical drain of claim 1, further comprising a pump in communication with an interior portion of the inflatable compartment.

10. (Original) The surgical drain of claim 1, further comprising a pressure monitor in communication with the interior portion of the inflatable chamber.

11. (Currently amended) The surgical drain of claim 1, wherein the surgical drain further includes an anchor configured to stabilize the position of the surgical drain relative to the tissue in the body cavity.

12. (Currently amended) The surgical drain of claim 1, wherein the surgical drain further includes a projection extending from the outer side, wherein the projection is configured for insertion into tissue in the body cavity.

13. (Original) The surgical drain of claim 1, wherein the surgical drain further includes a first loop extending from the outer side.

14. (Original) The surgical drain of claim 1, wherein the surgical drain further includes adhesive on at least a portion of the outer side.

15. (Original) The surgical drain of claim 1, wherein the surgical drain further includes a flap extending from the outer side.

16-102. (Cancelled).